

Notice of Allowability

Application No.

10/511,204

Examiner

William H. Mayo III

Applicant(s)

BELLI ET AL.

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to March 3, 2006.
2. ☒ The allowed claim(s) is/are 35-51 and 54-68.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>Drawing Changes</u> . |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. The application has been amended as follows:
In claim 35, line 2, replace the term "insulting" with the term --insulating--.

Drawings

3. The drawings were received on March 13, 2006. These drawings are not approved.
4. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: The applicant is required to cross hatch all of the drawings as illustrated in the enclosed drawing sheet. Please note the differences between the rubber material and the thermoplastic material. The specification states that the insulating material is made of thermoplastic materials and therefore the insulating material should be cross-hatched as such. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Allowable Subject Matter

5. Claims 35-51 and 54-68 are allowed.
6. The following is an examiner's statement of reasons for allowance: This invention deals with an electrical cable comprising an insulating layer being made of a non expanded polymeric material and at least one insulating layer being made of expanded polymeric material expanded material, wherein the expanded polymeric material is obtained from a polymeric material that before expansion has a flexural modulus at room temperature measured according to ASTM Standard D790, not greater than 200MPa (claim 35). This invention also deals with a process for manufacturing an electric cable wherein the cable comprises a conductor and an insulating coating made of non expanded polymeric material and at least one insulating material made of an expanded polymeric material, wherein the expanded polymeric material is obtained from a polymeric material that before expansion has a flexural modulus at room temperature measured according to ASTM Standard D790, not greater than 200MPa (claim 66). The above stated claim limitations, in combination with other claim limitations, is not taught or suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments


7. Applicant's arguments filed March 13, 2006 have been fully considered and they are persuasive. Specifically, the applicant's argument that "none of the prior art of record teaches electrical cable comprising an insulating layer being made of a non expanded polymeric material and at least one insulating layer being made of expanded polymeric material expanded material, wherein the expanded polymeric material is obtained from a polymeric material that before expansion has a flexural modulus at room temperature measured according to ASTM Standard D790, not greater than 200MPa" is persuasive and therefore the claims have been allowed.

Communication

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Mayo III whose telephone number is (571)-272-1978. The examiner can normally be reached on M-F 8:30am-6:00 pm (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

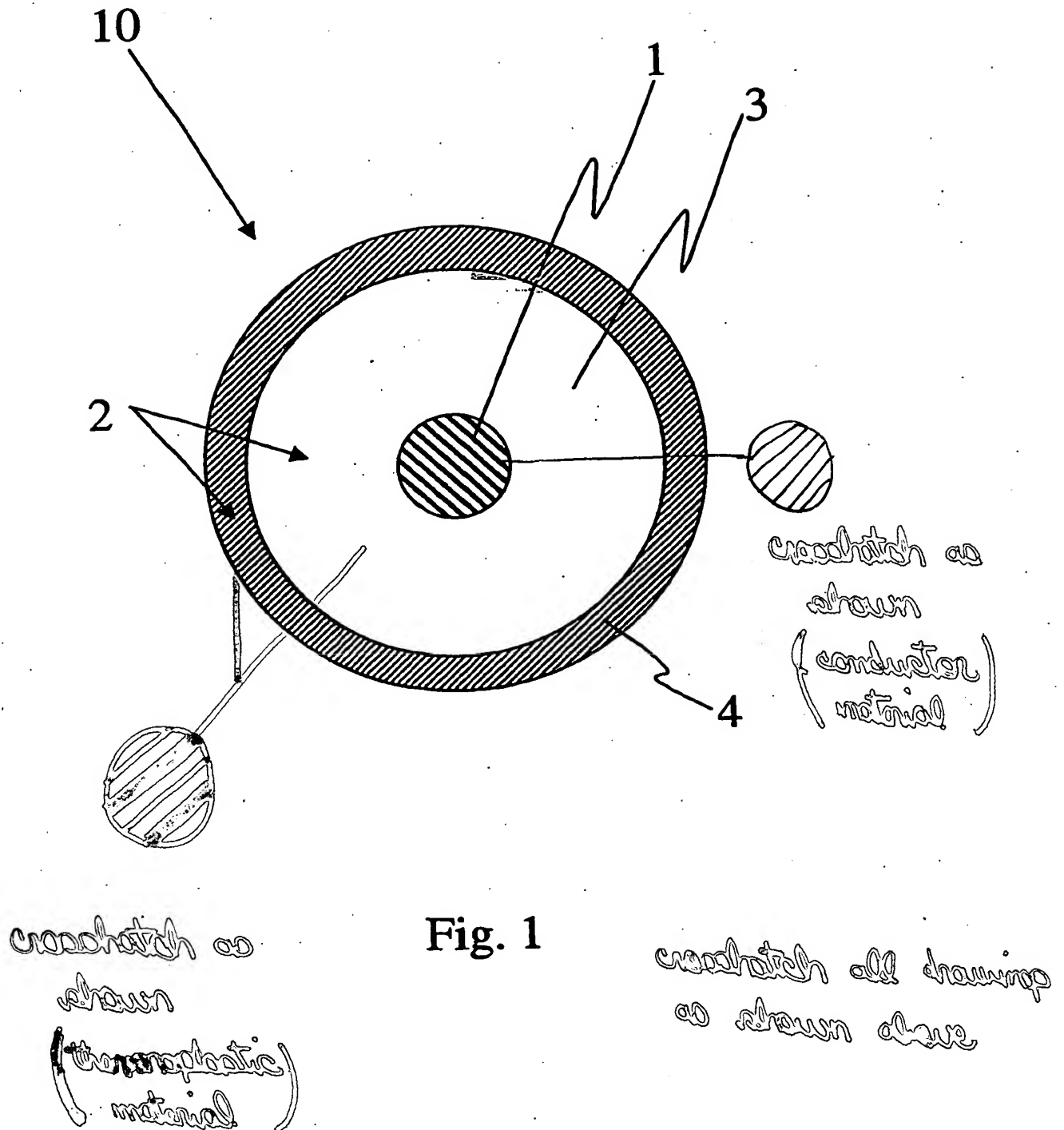
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William H. Mayo III
Primary Examiner
Art Unit 2831

WHM III
April 10, 2006

1/3





NOT
approved
WALSH
4/10/06

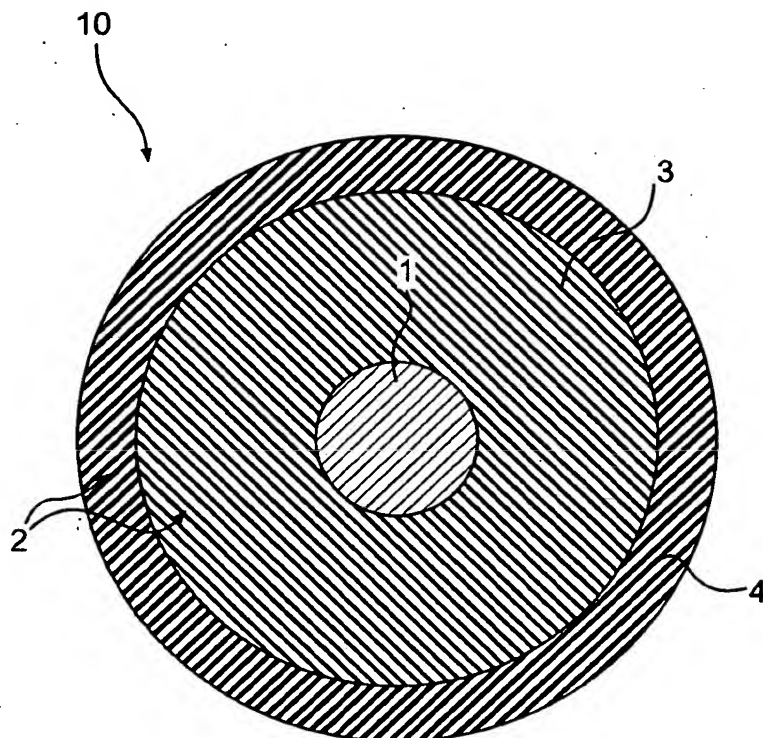


FIG. 1